

HON'BLE SRI JUSTICE V.V.S.RAO

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WRIT PETITION No.26299 of 2006

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Dated:02.01.2007

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Between:

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Gaddam Janardhan and others.

...Petitioners

and

The Mandal Revenue Officer and another.

...Respondents

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WRIT PETITION No.26299 of 2006

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ORDER:

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The petitioners, who are twelve in number, filed the instant Writ Petition seeking a writ of mandamus directing the respondents, namely, the Mandal Revenue Officer, Keesara Mandal, and the District Collector, Ranga Reddy District, to act in accordance with law and forbear from demolishing the houses of the petitioners situated in Survey Nos.586/1 to 3 of Saipuri Colony of Nagaram Village, Dommaiguda Gram Panchayat, Keesara Mandal in Ranga Reddy District. They also seek a direction to the respondents not to demolish the houses without following due process of law.

The affidavit in support of the Writ Petition is filed by petitioner No.6. He alleges that all the petitioners purchased house sites during the period between 1998 and 2000 in an approved layout in Survey Nos.586/1 to 3 of Nagaram Village. The petitioners also allege that they constructed houses about half a decade ago and also paying property tax to Dommaiguda Gram Panchayat. It is alleged that on 16.12.2006 at about 2:30 pm the first respondent came to the area with Police Force and heavy machinery and resorted to demolish all the houses without following due process of law.

At the stage of admission itself, the learned Assistant Government Pleader for Revenue (Assignment) has obtained instructions. He submits that the land in occupation of the petitioners is assigned land, that all of them purchased the land in contravention of the provisions of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977, and that notices were issued to all the petitioners. He also submits that respondents never demolished any houses as alleged in para 5 of the writ affidavit, and that respondents only prevented some persons who tried to make constructions by encroaching on the land.

The submissions made by the learned Assistant Government Pleader after getting instructions disprove the petition allegations. The petitioners may therefore, approach the first respondent and submit their explanations, which shall be considered in accordance with law. As the Writ Petition is filed making false allegations, which are not sound, the same is dismissed. No costs.

(V.V.S.RAO, J)

02.01.2007

vs